# Translation

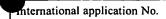
# PATENT COOPERATION TREATY

PCT 10/069,104

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference SOL 99/036	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)						
International application No.	International filing date (day/mon	th/year) Priority date (day/month/year)					
PCT/FR00/02370	25 August 2000 (25.08.	.00) 26 August 1999 (26.08.99)					
International Patent Classification (IPC) or G01T 1/40	national classification and IPC						
Applicant	SOLLAC						
Authority and is transmitted to the	applicant according to Article 36.	d by this International Preliminary Examining					
2. This REPORT consists of a total o	of 5 sheets, including t	his cover sheet.					
This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).							
These annexes consist of a	a total of 5 sheets.						
3. This report contains indications re-	lating to the following items:	•					
I Basis of the repo	I Basis of the report						
II Priority ,	II Priority						
III Non-establishme	ent of opinion with regard to novelty,	inventive step and industrial applicability					
IV Lack of unity of	invention						
V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement							
VI Certain documen	VI Certain documents cited						
VII Certain defects in	n the international application						
VIII Certain observations on the international application							
Date of submission of the demand	Date of co	empletion of this report					
22 March 2001 (22.0		04 February 2002 (04.02.2002)					
Name and mailing address of the IPEA/EF	Authorize	Authorized officer					
Facsimile No.	Telephone	Telephone No.					



PCT/FR00/02370

I. Basis of the report							
1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):							
the internationa	al application as originally filed						
the description,	pages 2-6	, as originally filed,					
	pages	, filed with the demand,					
	pagesl,la	, filed with the letter of	28 November 2001 (28.11.2001) ,				
	pages	, filed with the letter of	· · ·				
the claims,	Nos.						
	Nos.	, as amended under Article	19,				
	Nos.	, filed with the demand,					
	Nos. 1-12	, filed with the letter of	28 November 2001 (28.11.2001),				
	Nos.	, filed with the letter of					
the drawings,	sheets/fig1/2,2/2	, as originally filed,	•				
	sheets/fig	, filed with the demand,					
	sheets/fig	, filed with the letter of	· · · · · · · · · · · · · · · · · · ·				
	sheets/fig	, filed with the letter of					
2. The amendments have resul	ted in the cancellation of:						
the description,	, pages	<del>-</del>					
the claims,	Nos	_					
	sheets/fig	•					
the diamings,	31100ta 11g	<del>-</del>	·				
	established as if (some of) the a		e, since they have been considered				
to go beyond the disc	closure as fried, as indicated in t	uie Supplemental Box (Rule 70					
4. Additional observations, if	necessary:						
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V.	Reasoned statement under Article 3: citations and explanations supportin	5(2) with regard to nov ag such statement	elty, inventive step or industrial applica	bility;
1.	Statement			
•	Novelty (N)	Claims	1-12	YES
	• • •	Claims		NO NO
	Inventive step (IS)	Claims	1-12	YES
	,	Claims		NO
	Industrial applicability (IA)	Claims	1-12	YES
		Claims		NO

2. Citations and explanations

Reference is made to the following document:

D1: EP-A-0 066 763 (GEN ELECTRIC) 15 December 1982 (1982-12-15).

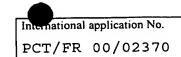
 Technical field: Measuring luminous intensity using photomultipliers.

The closest prior art D1 (cited on page 1 of the international application) describes an apparatus with automatic gain control for a gamma camera. Diodes send pulsed light onto a photomultiplier cathode in order to continuously calibrate the amplification during use.

The subject matter of **Claim 1** (device) therefore differs from D1 in that it includes:

- means for turning off the radiation source or closing off the radiation to be measured, and
- means for activating the calibration source only during periods of extinction or closing off of the radiation.

Thus, the measurements obtained during the calibration phases and those obtained during the



measurement phases proper can be separated. The calibration measurements are therefore unresponsive to the gain deviations and fluctuations of the photomultiplier and they can be deduced from the effective measurements. An improvement of the measurements is thus achieved.

The subject matter of the claim, leading to the solution to the problem is neither known from nor suggested by the prior art D1 or other documents cited in the international search report.

Claim 1 therefore satisfies the PCT requirements of novelty and inventive step (PCT Article 33(2) and (3)).

- Claims 2-12 are dependent on Claim 1 and therefore likewise satisfy, as such, the PCT requirements of novelty and inventive step.
- 3. The industrial applicability of the subject matter of Claims 1-12 is obvious (PCT Article 33(4)).

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### VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

## 1. Clarity (PCT Article 6)

- 1.1 The dependence of Claim 12 on the preceding claims is incorrect, given that device (method) claims can be dependent only on device (method) claims. Claim 9 is not a method claim.
- 1.2 Claim 12 lacks clarity because it does not contain the features necessary for the definition of the invention. Indeed, the method steps according to which the thickness of a material is measured by using the device or the method of the preceding claims are not defined (PCT Rule 6.3(b); PCT Guidelines, Section IV, Chapter III-4.4).